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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,585	10/22/2001	Nobuyoshi Sakatani	83365.0001	6588

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EXAMINER
BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/020,585	SAKATANI, NOBUYOSHI
	Examiner	Art Unit	
	Benjamin R. Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 January 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) ☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____ .	6) ☐ Other: _____ .

Detailed Action

Claims 1-20 are pending in this Office Action.

Claims 1, 3, 7, 11, 14, 15, and 19 are amended.

Response to Arguments

Applicant's arguments filed in the amendment filed 1/30/06, have been fully considered but are moot in view of new grounds of rejection.

Applicant's invention as claimed:

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 6,880,123 by Landsman et al in view of U.S. Patent No. 5,740,549 by Reilly et al.

Regarding claim 1,

The Landsman reference teaches an information delivery system (Landsman: col. 9, lines 51-61), comprising:

a computer terminal (Landsman: col. 9, line 56; client); and

an information provider server (Landsman: col. 9, lines 62-67; Fig. 1B, tag 13),

wherein said computer terminal and said information provider server are connected with each other via a network (Fig. 1B);

said information provider server transmits content having an information receiving program or a tag for the information receiving program to said computer terminal in response to being accessed by said computer terminal (Landsman: col. 9, lines 62- col. 10, line 2); and

said computer terminal accesses a predetermined server via a network (Landsman: col. 10, lines 3-10), and automatically retrieves (Landsman: col. 10, lines 3-6) and displays delivery information (Landsman: col. 8-10).

The Landsman reference fails to fully disclose displaying the received information, for a predetermined period of time after displaying delivery information.

However the Reilly reference teaches in the case where, after said computer terminal displays the received contents as display information (Reilly: col. 12, lines 58-61), it is judged that an entering operation is not executed for said content displayed as display information for a predetermined period of time by said information receiving program or the information receiving program obtained by the tag (Reilly: col. 11, lines 40-52), and <u>again displays the received contents as display information when said entering operation is executed</u> (Reilly: col. 12, lines 12-45; 57-61).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include the display of received contents after inactivity for a period of time as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 2, the information delivery system according to claim 1, further comprising:

an information delivery server connected to the network, wherein said information delivery server provides the delivery information in response to being accessed by said computer terminal (Landsman: col. 10, lines 3-6).

Regarding claim 3,

The Landsman reference teaches an advertisement delivery system for automatically delivering advertisements to a viewer computer terminal via a network (Landsman: col. 9, lines 62- col. 10, line 9), comprising;

an information receiving program embedded in an HTML formatted content which is obtained by the viewer computer terminal via the network (Landsman: col. 11, lines 41-65),

wherein advertisement information, which is delivered in response to access by the viewer computer terminal (Landsman: col. 9, lines 62- col. 10, line 22), is displayed after the HTML formatted content having, said information receiving program embedded is displayed on the viewer computer terminal (Landsman: col. 10, lines 31-53).

The Landsman reference fails to fully disclose displaying the received information, for a predetermined period of time after displaying delivery information.

However the Reilly reference teaches in the case where, after said computer terminal displays the received contents as display information (Reilly: col. 12, lines 58-61), it is judged that an entering operation is not executed for said content displayed as display information for a predetermined period of time by said information receiving program or the information receiving program obtained by the tag (Reilly: col. 11, lines 40-52), and <u>again displays the received contents as display information when said entering operation is executed</u> (Reilly: col. 12, lines 12-45; 57-61).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include the display of received contents after inactivity for a period of time as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 4, the advertisement delivery system according to claim 3, wherein said information receiving program received via the network is embedded in the HTML formatted content, based on tag information provided in the HTML formatted content obtained by the viewer computer terminal (Landsman: col. 11, lines 37-65).

Regarding claim 5, the advertisement delivery system according to claim 3, wherein said information receiving program itself is embedded in the HTML formatted content, in any one case of a case where the HTML formatted content passes through a relay server for relay of a server providing the HTML formatted content, and a case where the HTML formatted content passes through a provider for providing the Viewer computer terminal with a connecting service (Landsman: col. 11, lines 37-65; relayed from web page to distribution server).

Regarding claim 6, the advertisement delivery system according to claim 3, wherein the information receiving program is embedded based on tag information which is embedded in the HTML formatted content on a relay server for relay of a server providing the HTML formatted

content, or based on tag information which is embedded in the HTML formatted content at the time the HTML formatted content passes through a provider, the provider providing the viewer computer terminal with a connecting service (Landsman: col. 11, lines 37-65; relayed from web page to distribution server).

Regarding claim 7,

The Landsman reference teaches an information delivery program delivered according to a Web page obtained via a network and displayed on a computer (Landsman: col. 9, lines 62-col. 10, line 9), causing a computer to execute:

a content obtaining function for obtaining content from a predetermined server via the network in the case that it is judged that the entering operation by a user is not executed by said entering operation judgment function (Landsman: col. 10, lines 59-67); and

a content display function for displaying the content obtained by said content obtaining function (Landsman: col. 10, lines 1-22), wherein

The Landsman reference fails to teach an entering operation judging function for detecting an entering operation after a predetermined period of time after a web page is being displayed.

However the Reilly reference teaches an entering operation judgment function for judging that an entering operation by a user is not executed for said Web page obtained via the network and displayed on a computer for a predetermined period of time under a condition that a said Web page obtained via the network is displayed (Reilly: col. 11, lines 40-52; col. 12, lines 58-61);

said web page obtained via the network is displayed again when it is judged that the entrée operation by said user is executed (Reilly: col. 12, lines 25-45; 57-61).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include the display of received contents after inactivity for a period of time as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 8, the information delivery program according to claim 7, wherein the content is displayed in place of the displayed Web page in said content display function (Landsman: col. 10, lines 7-10).

Regarding claim 9, the Landsman reference teaches the information delivery program according to claim 8. The Landsman reference fails to teach a restart display function. However the Reilly reference teaches causing a computer to further execute a display restart function for restarting display of the Web page in the case where a predetermined entering operation is executed by a user, after the content is displayed in place of the displayed Web page by said content display function (Reilly: col. 12, lines 58-61). It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include restarting the display as taught by Reilly in order to return the display to what was being display before (Reilly: col. 12, lines 57-61).

Regarding claim 10, the Landsman reference teaches the information delivery program according to claim 7. The Landsman reference fails to teach a category specifying function. However the Reilly reference teaches causing a computer to further execute:

a category specifying function for allowing a user to specify a category which the user desires to obtain by use of said content obtaining function (Reilly: col. 7, lines 14-28); and

a writing function for writing information regarding the category specified by said category specifying function into a cookie as user information (Reilly: col. 7, lines 14-28).
It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include categories and profiles as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 11,

The Landsman reference teaches an information delivery program for executing a predetermined function on an HTML formatted content obtained via a network according to

HTML formatted content and displayed on a computer (Landsman: col. 9, lines 62- col. 10, line 10), said program causing a computer to operate:

a supervising means for supervising an operation by a viewer for said HTML formatted content displayed by said browser, in a state that the HTML formatted content is displayed by the browser included in the computer (Landsman: col. 10, lines 2-20); and

a displaying means for displaying an obtained delivery content in place of the HTML formatted content (Landsman: col. 10, lines 7-10 in the browser).

The Landsman reference fails to teach fails to fully disclose display where the operation by the view for said HTML content display is not executed under a predetermined condition.

However the Reilly reference teaches in the case where the operation by the viewer for said HTML formatted content displayed by said browser is not executed under a predetermined condition (Reilly: col. 11, lines 40-52; col. 12, lines 58-61), and redisplaying the HTML formatted content in the case where the operation is executed (Reilly: col. 12, lines 25-45; 57-61).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include the display of received contents after inactivity for a period of time as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 12, the information delivery program according to claim 11, wherein the delivery content is any content specified in a server side providing the HTML formatted content, and content which the browser obtained by accessing an information delivery server connected to the network (Landsman: col. 10, lines 2-10).

Regarding claim 13, the Landsman reference teaches the information delivery program according to claim 11. The Landsman reference fails to teach a timer function. However the Reilly reference teaches a supervising function is provided with a timer function operating by counting up after the HTML formatted content is displayed by the browser, or by counting up after a predetermined entering operation is executed by a viewer, and the operation by the viewer is

supervised by use of the timer function (Reilly: col. 11, lines 40-51). It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include a timer function as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 14,

The Landsman reference teaches a server which is connected to a network and provides a computer apparatus connected to the network with a predetermined program (Landsman: col. 9, lines 62- col. 10, line 10), said server comprising:

an accepting means of a program receiving request for accepting a program receiving request executed based on tag information contained in an HTML content which is obtained by the computer apparatus via the network (Landsman: col. 11, lines 37-65); and

a program providing means for providing an information receiving program based on the program receiving request accepted by use of said accepting means of the program receiving request, the information receiving program being for accessing a predetermined server via said network from the computer apparatus to pull a screen saver page (Landsman: col. 10, lines 2-10).

The Landsman reference fails to fully disclose a screen saver page displayed when no operation is executed for a predetermined period of time after HTML content is displayed.

However the Reilly reference teaches a screen saver page is to be displayed on the computer apparatus in the case where, after said HTML content is displayed on said computer apparatus, no operation is executed for the HTML content displayed on said computer apparatus for a predetermined period of time (Reilly: col. 11, lines 40-51), and displaying said HTML content again when the entering operation is executed (Reilly: col. 12, lines 25-45; lines 58-61).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include the display of received contents after inactivity for a period of time as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 15,

The Landsman reference teaches an information delivery server, which is connected to a network and provides a computer apparatus connected to the network with contents (Landsman: col. 9, lines 62- col. 10, line 10), the information delivery server comprising:

an access accepting means for accepting access from the computer apparatus based on an action of an information receiving program delivered according to an HTML content displayed on the computer apparatus (Landsman: col. 10, lines 2-10); and

a delivery information providing means for providing the computer apparatus with information delivery content in response to being accessed by the computer apparatus and based on the information receiving program (Landsman: col. 10, lines 2-10),

The Landsman reference fails to fully disclose content being displayed when no operation is executed for a predetermined period of time after HTML content is displayed.

However the he Reilly reference teaches the information delivery content being automatically displayed when is judged that a predetermined entering operation is not executed for said HTML content displayed on said computer apparatus by said information receiving program (Reilly: col. 11, lines 40-51), and automatically displaying said HTML content again when it is judged that the predetermined entering operation is executed (Reilly: col. 12, lines 25-45; lines 58-61).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include the display of received contents after inactivity for a period of time as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 16, the Landsman reference teaches the information delivery server according to claim 15. The Landsman fails to teach a judging means for determining predetermined group membership. However the Reilly reference teaches a judgment means for judging whether or not the computer apparatus belongs to a predetermined group (Reilly: col. 15, lines 23-30),

wherein said delivery information providing means provides the computer apparatus with the information delivery content being within a range predetermined for each predetermined group (Reilly: col. 15, lines 23-30). It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include group profiles and determining group profiles as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 17, the Landsman reference teaches the information delivery server according to claim 15. The Landsman reference fails to teach selected delivery of content based on a cookie. However, the Reilly reference teaches a delivery information providing a means to refer cookie information at the time of the access from the computer apparatus, selects the delivery content based on the referred cookie information, and provides the computer apparatus with the delivery content (Reilly: col. 7, lines 13-20; col. 14, lines 20-40). It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include the display of received contents after inactivity for a period of time as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 18, the information delivery server according to claim 15, wherein the information of a delivery content provided by said delivery information providing means is any one of a URL of the destination to which the delivery content is delivered and the delivery content itself, in which access to the other site is not required (Landsman: col. 10, lines 16-20; col. 11, lines 52-57).

Regarding claim 19,

The Landsman reference teaches an advertising information delivery method for delivering advertising information to a viewer computer terminal via a, network (Landsman: col.

9, lines 62- col. 10, line 10), said advertising information delivery method comprising the steps of:

embedding an information receiving program in the HTML content obtained by the viewer computer terminal (Landsman: col. 11, lines 38-65);

supervising an entering operation for said HTML content obtained by said viewer computer terminal by use of the information receiving program after the HTML content is displayed on the viewer computer terminal (Landsman: col. 10, lines 2-10); and

delivering the advertising information to the viewer computer terminal from a predetermined server via the network by access from the viewer computer terminal (Landsman: col. 10, lines 2-10).

The Landsman reference fails to fully disclose displaying advertising information when a predetermined entering operation is not entered for a predetermined period of time.

However the Reilly reference teaches displaying advertising information when it is judged that a predetermined entering operation is not expected for said HTML content obtained by said viewer computer terminal for a predetermined period of time by said information receiving program (Reilly: col. 11, lines 40-51), wherein the information receiving program causes said HTML content to be displayed again when it is judged that the predetermined entering operation is executed (Reilly: col. 12, lines 25-45; 58-61).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the information delivery system as taught by Landsman to include the display of received contents after inactivity for a period of time as taught by Reilly in order to disseminate targeted information and advertisements to subscribers when their computer is idle (Reilly: col. 2, lines 28-47).

Regarding claim 20, the advertising information delivery method according to claim 19, wherein it is determined whether a predetermined operation is executed or not for the viewer computer terminal, and when the predetermined operation is executed, the advertising information is delivered without awaiting a passage of the predetermined period of time (Landsman: col. 10, lines 8-22 upon user click-stream).

REMARKS

Applicant has amended the independent claims with language to specify the program returns to normal display of content, webpage when an entering operation is performed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner
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